

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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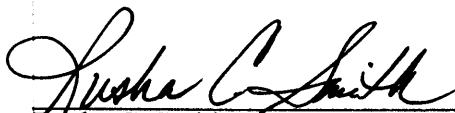
KOCH FOODS OF ALABAMA, LLC,  
an Alabama limited liability company,Plaintiff and Counter-  
Defendant,

vs.

GENERAL ELECTRIC CAPITAL  
CORPORATION, a Delaware corporation,Defendant, and Counter-  
Plaintiff,CIVIL ACTION NO.  
2:07 CV 522-MHT**DEFENDANT GENERAL ELECTRIC CAPITAL CORPORATION'S  
MOTION FOR LEAVE TO FILE MOTION UNDER SEAL**

Pursuant to the mandate of Federal Rule of Civil Procedure 26(b)(5)(B) and this Court's administrative procedures, Defendant General Electric Capital Corporation ("GECC") hereby moves this Court to enter an Order granting GECC leave to file the following motion under seal, entitled *GE Capital's Motion Pursuant to Federal Rule of Civil Procedure 26(b)(5)(B) for a Determination of Whether Koch Foods of Alabama, LLC's Alleged Claim of Privilege Attaches to Produced Documents*. In support, GECC states that Federal Rule of Civil Procedure 26(b)(5)(B) mandates that information subject to a motion made under such subsection be filed under seal, and that GECC's Motion, while not including the information in question nor disclosing its substantive contents, does necessarily reference the information. GECC, therefore, files this motion as a precaution and as notice to the party that produced the information.

Respectfully submitted,



Krisha C. Smith

One of the Attorneys for Defendant General Electric  
Capital Corporation

OF COUNSEL:

Bradley Arant Rose & White LLP  
One Federal Place  
1819 Fifth Avenue North  
Birmingham, AL 35203-2104  
Telephone: (205) 521-8000  
Facsimile: (205) 521-8800

OF COUNSEL:

Alexander Terras  
Timothy S. Harris  
Reed Smith Sachnoff & Weaver  
10 South Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 207-1000  
Facsimile: (312) 207-6400

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of October, 2007, I served a copy of the foregoing pleading upon the following counsel of record, properly addressed as follows:

**VIA FEDERAL EXPRESS**

Thomas G. Mancuso, Esq.  
Mancuso & Franco, P.C.  
7515 Halcyon Summit Drive  
Suite 301  
Montgomery, AL 36177

Eugene J. Geekie, Jr., Esq.  
Mike Xu, Esq.  
Schiff Hardin LLP  
6600 Sears Tower  
Chicago, IL 60606

  
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COUNSEL